

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 08-1396

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William Jude Hart,

Appellant,

v.

Leann K. Bertsch; Timothy Schuetzle;  
Kathy Bachmeier, in their individual  
and official capacities,

Appellees.

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Appeal from the United States  
District Court for the  
District of North Dakota.

[UNPUBLISHED]

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Submitted: June 18, 2009  
Filed: June 22, 2009

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Before BYE, COLLOTON, and GRUENDER, Circuit Judges.

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PER CURIAM.

Inmate William Jude Hart appeals the district court's<sup>1</sup> adverse grant of summary judgment in his 42 U.S.C. § 1983 action. Having carefully reviewed the record, see Mason v. Corr. Med. Servs., Inc., 559 F.3d 880, 884-85 (8th Cir. 2009) (standard of review), we find no basis for reversal. We also find no abuse of discretion in the denial of Hart's motion for appointment of counsel. See Phillips v. Jasper County

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<sup>1</sup>The Honorable Daniel L. Hovland, Chief Judge, United States District Court for the District of North Dakota.

Jail, 437 F.3d 791, 794 (8th Cir. 2006) (standard of review and factors). Accordingly, we affirm. See 8th Cir. R. 47B.

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